



Order Filed on November 19, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-22545

Hearing Date: 11/15/2018

Judge: VINCENT F. PAPALIA

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**Marie-Ann Greenberg MAG-1284
Marie-Ann Greenberg, Standing Trustee
30 TWO BRIDGES ROAD
SUITE 330
FAIRFIELD, NJ 07004-1550
973-227-2840
Chapter 13 Standing Trustee**

IN RE:
DWAYNE R. SMITH

ORDER DENYING CONFIRMATION AND DISMISSING PETITION

The relief set forth on the following pages, numbered two (2) is hereby ORDERED.

DATED: November 19, 2018



**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

Case No.: 17-22545VFP

Caption of Order: Order Denying Confirmation and Dismissing Petition

THIS MATTER having come before the Court on 11/15/2018 for a Confirmation Hearing of the Debtor(s)' Chapter 13 Plan, and the Court having considered the Chapter 13 Standing Trustee's report and good and sufficient cause having been shown, it is hereby

ORDERED AND DIRECTED, that the Confirmation of Debtor(s)' Chapter 13 Plan is hereby denied; and it is further

ORDERED AND DIRECTED, that the Debtor(s)' Voluntary Petition for Relief under Chapter 13 and all proceedings thereunder be and they hereby are dismissed without prejudice; and it is further

ORDERED AND DIRECTED, that upon case dismissal any funds held by the Chapter 13 Standing Trustee from payments made on account of Debtor(s)' Plan, shall be disbursed to the Debtor(s), less any applicable Trustee fees and commissions, except any adequate protection payments due under the proposed plan or by Court Order, and/or any counsel fees and costs hereby allowed as an Administrative Expense.

Pursuant to 11 U.S.C. Sec. 349(b) this Court, for cause, retains jurisdiction over any additional application filed within 30 days by any administrative claimants for funds on hand with the Chapter 13 Trustee.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Dwayne R. Smith
Debtor

Case No. 17-22545-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 21, 2018.

db +Dwayne R. Smith, P.O. Box 125, Vauxhall, NJ 07088-0125

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 21, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 19, 2018 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor MTGLQ INVESTORS, L.P. cwohlab@logs.com,
njbankruptcynotifications@logs.com
Denise E. Carlon on behalf of Creditor CARISBROOK ASSET HOLDING TRUST dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor Deutsche Bank Nat'l Trust Company, et al
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jonathan C. Schwalb on behalf of Creditor SN Servicing Corporation
bankruptcy@friedmanvartolo.com
Marie-Ann Greenberg magecf@magtrustee.com
Rebecca Ann Solarz on behalf of Creditor Deutsche Bank Nat'l Trust Company, et al
rsolarz@kmlawgroup.com
Russell L. Low on behalf of Debtor Dwayne R. Smith rbear611@aol.com,
ecf@lowbankruptcy.com;r57808@notify.bestcase.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8